

AMENDMENTS TO LB 1107

Introduced by Health and Human Services Committee:

1 1. Strike the original sections and insert the following
2 new section:

3 Section 1. (1) An approved or accredited public, private,
4 denominational, or parochial school shall allow a student with
5 diabetes to possess and administer the necessary medical supplies
6 to self-manage his or her diabetic condition upon written request
7 of the student's parent or guardian and authorization of the
8 student's licensed health care provider, upon receipt of a signed
9 statement under subsection (5) of this section, and pursuant to a
10 diabetes medical management plan developed under subsection (2) of
11 this section.

12 (2) Upon receipt of a written request and authorization
13 under subsection (1) of this section, the school and the parent or
14 guardian shall develop a diabetes medical management plan for the
15 student for the current school year. The plan shall (a) identify
16 the health care services the student may receive at school relating
17 to such condition, (b) evaluate the student's understanding of and
18 ability to self-manage his or her diabetic condition, (c) permit
19 regular monitoring of the student's self-management of his or her
20 diabetic condition by an appropriately credentialed health care
21 professional, and (d) be signed by the student's parent or guardian
22 and the licensed health care provider responsible for treatment
23 of the student's diabetic condition. The school may consult with

1 a registered nurse or other health care professional employed by
2 such school during development of the plan. The plan and the signed
3 statement required by subsection (5) of this section shall be kept
4 on file at the school where the student is enrolled.

5 (3) Pursuant to the diabetes medical management plan
6 developed under subsection (2) of this section, a student with a
7 diabetic condition shall be permitted to self-manage his or her
8 diabetic condition in the classroom or any part of the school or on
9 school grounds during any school-related activity or in any private
10 location specified in the plan.

11 (4) (a) A school may prohibit a student from possessing
12 the necessary medical supplies to self-manage his or her diabetic
13 condition or place other necessary and appropriate restrictions or
14 conditions on the student's self-management of his or her diabetic
15 condition if the school determines that the student has endangered
16 himself, herself, or others through the misuse or threatened misuse
17 of such medical supplies. The school shall promptly notify the
18 parent or guardian of any prohibition, restriction, or condition
19 imposed.

20 (b) If a student for whom a diabetes medical management
21 plan has been developed under this section injures school personnel
22 or another student as the result of the misuse of necessary
23 diabetic medical supplies, the parent or guardian of the student
24 for whom such plan has been developed shall be responsible for any
25 and all costs associated with such injury.

26 (5) The parent or guardian of a student for whom a
27 diabetes medical management plan has been developed under this

1 section shall sign a statement acknowledging that: (a) The school
2 and its employees and agents are not liable for any injury or death
3 arising from a student's self-management of his or her diabetic
4 condition and (b) the parent or guardian shall indemnify and hold
5 harmless the school and its employees and agents against a claim
6 arising from a student's self-management of his or her diabetic
7 condition.